



51213

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION OFFICE**

MEMORANDUM

TO: HONORABLE RICHARD M. BERMAN
U.S. DISTRICT JUDGE

FROM: MICHELE GREER BAMBRICK
SENIOR U.S. PROBATION OFFICER

RE: JEFFREY MUSUMECI
07 CR 402 (RMB)

DATE: January 3, 2008

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/4/08

Reference is made to the above-captioned defendant who was convicted of Enticing a Minor to Engage in Sexual Activity and Attempted Production of Child Pornography on September 19, 2007, following a jury trial before Your Honor. Sentencing for this matter is presently scheduled for January 14, 2008.

Pursuant to our request, on October 23, 2007, Your Honor ordered that the defendant undergo a psychosexual evaluation. Further, Your Honor granted a one-month adjournment to allow for the evaluation to be completed.

The PSI was first disclosed to both parties on December 19, 2007. However, the doctor who met with the defendant has not yet completed his report. We expect that his report will be completed no later than Friday, January 11, 2008. Accordingly, we are respectfully requesting a two-week adjournment for the parties to review the report and determine whether they believe any further information is necessary to assist the Court in determining the appropriate sentence.

The Government and defense counsel have been advised that we are requesting an adjournment, and neither party has an objection to this request.

It is requested that Your Honor indicate the Court's decision as provided on the following page.

Would Your Honor please indicate the course of action to be taken.

Adjournment granted ✓
New date and time _____

Adjournment not granted _____

Other Parties to contact court deputy to reschedule sentencing as early as practicable.

1/04/08
Date

RMB
Honorable Richard M. Berman
U.S. District Judge

cc: Adam Hickey, AUSA
U.S. Attorney's Office

Michael Soshnick, Esq.
190 Willis Avenue - Suite 112
Mineola, NY, 11501